

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

LUCILLE ANN CHAMPION,)	
)	8:05cv204
Plaintiff,)	
)	
vs.)	ORDER
)	
UNIVERSITY OF NEBRASKA)	
MEDICAL CENTER, et al.,)	
)	
Defendants.)	

This matter is before the court on filing nos. 16 and 24, in which the court gave the plaintiff until July 19, 2005 to pay a service charge of \$45 for her returned filing-fee check **and** either pay the court's \$250 filing fee or file an Application to Proceed in Forma Pauperis. In filing no. 24, the court emphasized that in the absence of timely compliance with both requirements, this litigation would be subject to dismissal.

The plaintiff has not paid the \$45 service charge for her returned check. Accordingly, the stay previously imposed in this litigation is lifted, and pursuant to NECivR 41.1¹, the plaintiff's complaint, as amended, and the above-entitled action are dismissed without prejudice. All pending motions are denied as moot. A separate judgment will be entered accordingly.

SO ORDERED.

DATED this 22nd day of September, 2005.

BY THE COURT:

s/Laurie Smith Camp
Laurie Smith Camp
United States District Judge

¹NECivR 41.1 states in pertinent part: "At any time when it appears that any action is not being prosecuted with reasonable diligence the court may dismiss it for lack of prosecution."